

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
FEBRUARY 11, 2021
7:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on February 11, 2021 was called to order at 7:00 pm. by Supervisor D'Alessandro.

Supervisor's Announcements

Supervisor D'Alessandro stated the last snowstorm dropped an average of 26 inches of snow and there have been smaller storms since then. Highway is doing a great job. He also commended the Police Department and fire department as no one missed a beat. He did state that snow cannot be dumped on town roads, state roads, or other people's property. If this continues to happen, contractors will be fined or ticketed.

The Planning Board approved the site plan for the Blue Water Property Group for a proposed 631,000 ft.² warehouse for Amazon. The Town Board also approved a Special Permit to allow them to move forward. Hopefully by the end of the month the developer will be ready to move forward.

The Supervisor has been working very closely with iPark. There are more potential businesses coming to that site. All zoning changes are helping with the redevelopment plans. This is all very exciting. These projects will produce tax money for the school districts as well and produce no additional children for attendance.

The Economic Development Director, Michael O'Brien has been very busy working with businesses in town and assisting Supervisor D'Alessandro with the DOT, Dutchess County Transportation Council, and Senator Sue Serino. They have been working on the replacement of the bridge on Route 82 by Williams Lumber regarding making it an at grade crossing. This looks like it's moving forward with possible assistance for funding. Supervisor D'Alessandro will keep everyone informed.

Supervisor D'Alessandro has been meeting with Human Resources Director about multiple issues but mainly the Pandemic Response Plan that has been mandated by the Governor. It is tentatively slated for the March agenda for approval.

There have been weekly meetings with the County Executive and the mayors and supervisors in the County. The demand for the Covid vaccine far exceeds the supply. Residents will be alerted on line at [Dutchessny.gov/covidvaccine](https://dutchessny.gov/covidvaccine) or calling the NYS Hotline at 1-833-697-4829. This contact information is on the town website. There is assistance for seniors by appointment only through the Community Center. He did thank the staff for all of this.

There've been many phone calls, e-mails, and messages regarding the situation with Optimum. East Fishkill is a town that only has one provider for the majority of the town. It is very problematic. They have reached out to other providers to let them know that East Fishkill has an open franchise agreement. The Town is trying to reach out to have other companies come in. There will be upgrades to the zoom procedures for an open forum for discussion regarding this. It will be March 11 and residents can come and voice their concerns about optimum in bringing in other companies. Hopefully Verizon will respond as well.

There have been many discussions with the EPA regarding the Hopewell Water District. There have been several issues. At this point the town is taking the position of not allowing the remaining hookups until these issues are resolved. There are two or three roads left for the EPA to connect homes. After that the town will be responsible for the whole system. They do not want to take ownership of the system until these issues are corrected. They are also awaiting final payment from the EPA. The town wants a good, properly working system before they accept it.

Roll the Call: Supervisor D'Alessandro asked Town Clerk, via video, to call the rolls.

Board Members in attendance:

Peter	Thomas	Emanuele	Anil	Nicolas
Cassidy	Franco	Marinero	Beephan	D'Alessandro

Thomas Wood, Attorney; Mark Pozniac, Comptroller; Scott Bryant, Engineer, via video; Ken Williams, Highway Superintendent; Chief Bellino, East Fishkill Police Department.

Approve Minutes:

January 12, 2021

Motion to approve the minutes for the January 12, 2021 meeting: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

There were no additions to the agenda.

Courtesy of the Floor

Supervisor D'Alessandro asked if there was anyone from the public to speak on any town issues. There was no one.

Receive and File

Supervisor D'Alessandro stated there was nothing for receipt and file.

Resolutions:

Schedule a Public Hearing for April 22, 2021 to consider amending the Zoning Ordinance to define Abandoned Applications and provide that the Planning Board issue all Cell Tower Permits

WHEREAS, from time to time the Town Board determines it necessary to update and modify town laws; and

WHEREAS, the Town Board feels it is more appropriate for the Planning Board to consider cell tower permits; and

WHEREAS, the Town Board also feels it may be appropriate to have approvals that are granted but not implemented within two years to be deemed abandoned;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing will be held on April 22, 2021 at 7:00 pm to consider amending the Zoning Ordinance as set forth above.

Motion to schedule a Public Hearing for April 22, 2021 to consider amending the Zoning Ordinance to define abandoned applications and provide that the Planning Board issue all Cell Tower Permits: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Authorize taking steps to formally oppose the Central Hudson rate increase

WHEREAS, Central Hudson has a monopoly on delivering power to the residents of the town; and

WHEREAS, over the last few years the utility has failed miserably in restoring power after storms; and

WHEREAS, no meaningful plan has been created by the utility to improve restoration after storms;

NOW, THEREFORE, BE IT RESOLVED, that the Town of East Fishkill is opposed to any rate increase for service by Central Hudson unless it is tied directly to a plan to improve restoration as well as delivery of services.

Motion to authorize taking steps to formally oppose the Central Hudson rate increase: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

1. Authorize taking steps to urge Verizon to expand into East Fishkill to provide FIOS and other services in the town

WHEREAS, many residents have attempted to obtain FIOS service within the Town; and

WHEREAS, since the Town Board would happily grant a franchise to Verizon to provide Cable and Internet services within the Town; and

WHEREAS, the Town Board urges Verizon to make their service available;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby request that Verizon extend its FIOS services within the town at the earliest opportunity.

Motion to authorize taking steps to urge Verizon to expand into East Fishkill to provide FIOS and other services in the town: Board Member Beephan.
Seconded: Board Member Cassidy. Board Member Franco abstained from discussion due to his employment with Verizon. All others voted aye. Motion carried.

Adopt the Retention and Disposition Schedule of New York Local Government Records (LGS-1)

WHEREAS, the Town Board of the Town of East Fishkill that the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Motion to adopt the Retention and Disposition Schedule of New York Local Government Records (LGS-1): Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

Authorize the modification of a Civil Service Title for a Building Department employee.

WHEREAS, Civil Service Law allows the appointment of a Legislative Aide to assist the Town Board in properly managing various operations thereof; and

WHEREAS, the Town Board would like to appoint a Legislative Aide to continue working in the Building Department and perform other functions as assigned by the Town Board and Town Supervisor; and

NOW, THEREFORE, BE IT RESOLVED, that Brenda Porter, residing in Hopewell Junction will be appointed to Legislative Aide to the Town Board until October 4, 2021; and

BE IT FURTHER RESOLVED, that said Legislative Aide shall be paid \$37.61 per hour and benefits shall be provided in accordance with established Town policy.

Motion to authorize the modification of a Civil Service Title for a Building Department employee: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Award bid for Demolition to 1 Hosner Mountain Road – House and Barn

WHEREAS, the Town Board has previously been advised by the Building Inspector and Town Engineer that certain structures located at 1 Hosner Mt Road including the barn on said property are dangerous structures; and

WHEREAS, the Town Board previously forwarded a notice to the property owners ordering the property owners to demolish said buildings due to its unsafe condition, and

WHEREAS, Town Clerk has been duly authorized to receive bids for such buildings and has received bids for such; and

NOW THEREFORE BE IT RESOLVED, that the bid will be hereby awarded to Coyle Industries Inc. in the amount of \$50,000

BE IT FURTHER RESOLVED, that upon reviewing of the expenses by the Board, the Board shall levy and collect the same part of the next Town tax bill in accordance of the Town Law of the State of New York.

Motion to award the bid for demolition to 1 Hosner Mountain Road – house and barn: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Supervisor D'Alessandro stated there was a resolution from the floor. It should have been put on the agenda for last month. The moratorium on building on Route 52 from the Taconic State Parkway to Blue Hill Road is still in place and will expire March 31, 2021. A housing committee has been put together to look at all the different housing stock in the town. Due to Covid and other issues, they have not been able to meet either. This is creating the need to extend the moratorium for six months.

WHEREAS, the Town Board previously adopted a moratorium on the Route 52 corridor; and

WHEREAS, due to COVID-19 and the NYS Pause Orders, various studies have been delayed; and

WHEREAS, it is the desire of the Town Board to consider extending the moratorium;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a Public Hearing on March 25, 2021 at 7:00 p.m. to consider a Local law extending the Route 52 moratorium for six (6 months).

Motion to set a Public Hearing to extend the Route 52 moratorium for six months for March 25, 2021 at 7 PM: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

Budget Transfer:

Supervisor D'Alessandro stated there was a budget transfer for the evening. The Town is trying to go paper free as much as possible for tax savings. There are new computer programs associated with this. There is a budget transfer proposed for \$50,000 for the Municipality program and \$25,000 for the other programming.

Motion to approve budget transfer as prepared by the Comptroller: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Comments from Town Board Members:

Highway Superintendent Williams stated there have been 10 snow events to date with more on the way. After the storms they do go out to try to push back the snow even further. He stated residents need to be aware there is a parking ordinance in effect. No vehicles may be parked in the road or the right-of-way. It is against the law to push snow into the road. Do not put your garbage cans out in the road. By law, they are not responsible for damage to mailboxes during snow

removal. It does happen but it is not on purpose. Mechanics have been doing a great job keeping the trucks on the road. He thanked the Highway Department staff & Recreation staff for working as a team and he thanked his secretary for all of her hard work as well. He thanked Carol's Deli, Pizza Time, Petrol Oil, Stormville Oil, Red Wing Sand and Gravel, EFPF and EFPD.

Police Chief Bellino stated they have responded to 1784 calls. He thanked the Highway Department for making their responses possible. They also have handled 83 offense reports, 14 arrests, 40 accidents, and 93 medical calls of which 19 were flu-like symptoms or Covid positive. Officer Scott Grove and Officer Bruce White responded to a heroin overdose. They administered four doses of Narcan and revived the victim. A Wappinger's resident was arrested for calling in a bomb threat at the iPark Complex. Officers Matthew Malican and Brendan Ercoli responded to a heroin overdose at which they administered Narcan and revived the victim. Applications have been submitted to New York State in regards to the **use** of force laws that went into effect, who will certify the department and pass on the applications to the federal government. The East Fishkill Police Department is working with Police One Academy, which has 1500 police related training sessions. There are certificates that will be tracked. The cost is approximately \$2000. This will greatly increase their training component.

Board Member Beephan thanked Jan and Bill from Recreation. He thanked the Highway Department and police and fire departments. The roads have looked great and police and fire have been getting to emergencies quickly. He stated anyone looking for recreational activities for this year could check out East Fishkill Recreation website. It is being kept up-to-date with plenty of information.

Board Member Franco also thanked the Highway Superintendent and his crew. He stated today the Supervisor and he brought back the Spotlight on East Fishkill and it is now called Spotlight on East Fishkill Taking Care of Business. If you know of a business that would like to be part of the show please contact any of the Board members.

Board Member Marinaro stated on January 25 he met with the Highway Superintendent and some staff to discuss equipment purchases. The relationship that the Board has with the Highway now is very good. The Supervisor and Board Member Marinaro went for a ride along during one of the storms and it was good to see exactly what the job entails during those snow events. He was contacted by Petro Oil who wanted to do something for the Highway Department, so they put together a lunch for the whole department. The Fire Department, Police Department, and Highway Department work together and do a great job during these events. He has had some interviews with the Conservative Executive Committee and they have had some highway superintendent's come to meetings and they all seem to have the same issues with needing new equipment. We will start looking to the South for trucks to replace some of what we have as the

southern states don't get the mileage that used vehicles in the North get. Anybody who has time, please consider volunteering for the fire department.

Board Member Cassidy stated he was out plowing during that last storm and our roads looked good. He thanked the fire department, police department, and Highway Department for being out working in the storm. Board Member Cassidy asked if people who plow into the roads get tickets. Highway Superintendent Williams stated he does work with the Chief of Police and they have resolved a large issue this past week.

Board Member Marinaro asked about shopping centers who plow out to the edge of the roadway. Supervisor D'Alessandro stated there are laws pertaining to sight distance and the Highway Superintendent has spoken to some of these companies to clear up some of these issues. Sometimes they do send the Chief of Police to have snow lowered at curbs.

Supervisor D'Alessandro stated he met this week with the new Fire Chief, Frank Lacalamita. He thanked former Chief, Steve Conti for his service to the East Fishkill Fire District. He also thanked the Board of Commissioners. They will be giving an emergency response unit to the Highway Department for one dollar.

Highway Superintendent Williams stated that the Fire Chief did come out and wing with them during that big storm for about five hours.

Supervisor D'Alessandro wished everyone a happy Valentine's Day on Sunday. The next meeting is February 25 for a special Public Hearing for the Police Reform Collaborative. They will be discussing the plan that was put together for the State of New York. March 11 is the workshop.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 8:09 PM: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Town Board Meetings:

**Special Public Hearing: February 25, 2021
Workshop: March 11, 2021**

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray
– February 17, 2021